FILED
FEB 23 2017
U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
v.	)	Case No. S1-4:16-cr-00466 JAR (SPM)
MICHAEL McNEILL, et al.	)	**FILED UNDER SEAL**
Defendants.	)	

MOTION TO FILE *EX PARTE* APPLICATION FOR PROTECTIVE ORDER AND RELATED DOCUMENTS UNDER SEAL

COMES NOW Plaintiff the United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Richard E. Finneran, Assistant United States Attorney for said district, and for its Motion to File *Ex Parte* Application for Protective Order states as follows:

1. The United States has presented the Court this same day with its *Ex Parte* Application for Protective Order in the instant case.

2. As set forth in the United States' memorandum in support, the protective order is necessary to preserve the availability of certain property for forfeiture in the instant case and, as the memorandum further elaborates, the Court is empowered to issue such an order *ex parte* and without a hearing.

3. The Superseding Indictment in the instant case, which specifies the property against which the restraining order is sought, is currently suppressed.

4. Issuance of the requested protective order not under seal would potentially disclose the existence of the Superseding Indictment to defendants who were not previously party to this case and who have not yet appeared.

5. Local Rule 83-13.05 authorizes this Court to order that the application, the Court's order, and the government's memorandum be filed under seal.

6. The United States shall move this Court to unseal all such documents after the Superseding Indictment is made public.

7. A proposed order is filed herewith.

WHEREFORE the United States prays that the Court issue an order sealing the United States' *Ex Parte* Application for Protective Order, this Court's Protective Order, and the United States' Memorandum in Support of Its *Ex Parte* Application for Protective Order until further order of this Court, and for such other and further relief as the Court deems just and proper.

Dated: February 23, 2017

Respectfully submitted,

RICHARD G. CALLAHAN
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/s/ Richard E. Finneran

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